



State of California

**Department of Toxic Substances Control**

**Imperial County Certified Unified Program Agency**

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## California Accidental Release Prevention Program **CalARP FACT SHEET**



### **PROGRAM OVERVIEW**

The California Accidental Release Prevention (CalARP) program was implemented on January 1, 1997 and replaces the former California Risk Management and Prevention Program (RMPP). The purpose of the CalARP program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to satisfy community right-to-know laws.

This is accomplished by requiring businesses that produce, handle, process, distribute, or store certain chemicals over a threshold quantity to develop a Risk Management Program, prepare a Risk Management Plan (RMP), and submit the RMP to the local Certified Unified Program Agency (CUPA). The California Emergency Management Agency (Cal EMA), formerly the Governor's Office of Emergency Services, has developed regulations (Title 19 of the California Code of Regulations, §2735.1 and following) that incorporate elements of the Federal Accidental Release Prevention Program (also known as the Risk Management Program) into state regulations. The list of regulated substances and their threshold quantities can be found in these regulations, which are available on the Cal EMA web site at

<http://www.calema.ca.gov/HazardousMaterials/Pages/Laws-and-Regulations.aspx> .

The CalARP program is one of the six programs consolidated under one agency, a CUPA. These programs are:

- ◆ CalARP Program
- ◆ Hazardous Materials Business Plan Program
- ◆ Aboveground Storage Tank Program
- ◆ Underground Storage Tank Program
- ◆ Hazardous Waste Generator Program
- ◆ California Uniform Fire Code

State oversight authority and responsibility for the **CalARP Program** is with Cal EMA. The Department of Toxic Substances Control has been designated as the Certified Unified Program Agency for Imperial County (Imperial CUPA) and is responsible for local implementation of the CalARP Program.

The CalARP program is designed for the CUPA to work directly with the regulated businesses. The CUPAs determine the level of detail in the RMPs, review the RMPs, conduct facility inspections, and provide public access to most of the information. Confidential or trade secret information may be restricted.



## WHO IS COVERED?

Any business that has more than a threshold quantity of a regulated substance in a process is covered. Regulated substances are those chemicals either on the Federal list (Title 40 of the Code of Federal Regulations, §68.130) or the State list (Title 22 of the California Code of Regulations, §2770.5).



## RISK MANAGEMENT PLAN

An RMP is a detailed engineering analysis of the potential accidental factors present at a business and the mitigation measures that can be implemented to reduce this accident potential. The RMP contains the following elements:

- Safety Information
- A hazard review
- Operating procedures
- Training requirements
- Maintenance requirements
- Compliance audits
- Incident investigation procedures

The RMP must consider the proximity to sensitive populations located in schools, residential areas, general acute care hospitals, long-term health care facilities, and child day care facilities. The RMP must also consider external events such as seismic activity. There are three program levels depending on the type of business, potential impact, and accident history, among other factors.

## RMP FORMAT

The State and Federal governments have not developed a standard format for RMPs, so you should consult with the Imperial CUPA to discuss what components you need to include in your RMP. Imperial CUPA may be able to provide a sample RMP format for businesses to use when developing their RMP.

## WHO MUST SUBMIT AN RMP?

**Existing businesses** that are handling a State regulated substance greater than the threshold quantity but is less than the federal threshold quantity, are required to implement the CalARP Program upon request by Imperial CUPA.

**New and modified businesses** which exceed the threshold quantity of a regulated substance must complete an RMP. New or modified covered processes require a RMP before operations commence – some with deadlines well in advance of actual operation. Early coordination with Imperial CUPA, therefore, is critical for a smooth startup. Any new or modified business which is required to prepare an RMP must certify whether a project will contain:

- More than a threshold quantity of a regulated substance in a process; or
- A source, or modified source, of hazardous air emissions.

The Imperial CUPA may require submission of an RMP after determining that a substantial risk of an accidental release exists at a business. RMPs for State-listed substances must be submitted no more than 12 months after the CUPA requests a business to implement the program.



## RMP SUBMISSION

Imperial CUPA will work closely with CalARP facilities in Imperial County to assist them in developing and submitting their RMPs. Once the CalARP Program Registration Forms are received, Imperial CUPA will mail out the *CalARP Submission Process* guidance document that describes the details of submitting your RMP to Imperial CUPA. Imperial CUPA will also call each CalARP facility to schedule an appointment to discuss the Program implementation and RMP submission.

Once the RMP is completed, submit one set of documents with original signatures to Imperial CUPA. Please note that Imperial CUPA may request to review onsite technical study documentation prior to an inspection or during an unannounced inspection. The documentation of the technical studies and documentation demonstrating implementation of the prevention program should be organized and maintained at the facility.

## LEGAL AUTHORITY

- **California State law:** California Health and Safety Code, Chapter 6.95, Article 2, Sections 25531-25543.3
- **California State Regulations:** Title 19 of the California Code of Regulations, Division 2, Chapter 4.5. – “CalARP Program Regulations”
- **Federal Law:** Clean Air Act 112 (r)
- **Federal Regulations:** Title 40 of the Code of Federal Regulations, Part 68.

## HELPFUL LINKS

- CUPA Forum: [www.calcupa.net](http://www.calcupa.net)
- Cal EMA: [www.calema.ca.gov](http://www.calema.ca.gov)
- Federal EPA: [www.epa.gov/emergencies/content/rmp/index.htm](http://www.epa.gov/emergencies/content/rmp/index.htm)
- The Chlorine Institute: [www.chlorineinstitute.org](http://www.chlorineinstitute.org)
- Chemical Safety Board: [www.chemsafety.gov](http://www.chemsafety.gov)
- NAICS Codes: [www.census.gov/eos/www/naics/index.html](http://www.census.gov/eos/www/naics/index.html)



## FOR MORE INFORMATION

For more information, please call the Imperial CUPA at (760) 352-0381 and ask for a CalARP Program Specialist.